

**UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

**IN RE:** ) **Chapter 11**  
 )  
**CIRCUIT CITY STORES, INC., et al.,** ) **Case No. 08-35653-KRH**  
 )  
**Debtors.** ) **(Jointly Administered)**  
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**RESPONSE OF NASHVILLE ELECTRIC SERVICE TO LIQUIDATING  
TRUST'S THIRTY-FIRST OMNIBUS OBJECTION TO CLAIMS  
(DISALLOWANCE OF CERTAIN INVALID CLAIMS)**

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Nashville Electric Service (“NES”), through its counsel files this response to the Liquidating Trust’s Thirty-First Omnibus Objection to Claims (Disallowance of Certain Invalid Claims) (Docket item 11809) (the “Objection”) to its claim filed on January 15, 2009 in the amount of \$16,895.03 (claim no. 4253) (the “Claim”). In support of the Claim and in response to the Objection, NES states the following:

1. NES is the Electric Power Board of The Metropolitan Government of Nashville and Davidson County, Tennessee.
2. NES’s Claim was filed in the amount of \$16,895.03 (Sixteen Thousand, Eight Hundred Ninety-Five Dollars and 03/100).
3. The Objection should be overruled since NES has not been paid the \$16,895.03 (Sixteen Thousand, Eight Hundred Ninety-Five Dollars and 03/100) owed by the

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Jennifer M. McLemore, Esquire (VSB No. 47164)  
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Counsel for Nashville Electric Service

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Larry Stewart, Esquire (TN Bar No. 003345)  
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Counsel for Nashville Electric Service

Debtor at the time it filed its petition for relief in bankruptcy. NES holds no deposits from the Debtors and its records do not indicate receipt of post-petition overpayments for any of the three metered accounts of the Debtor.

4. Attached are copies of the unpaid invoices and payment histories for these accounts certified by Janice Hayes, the records custodian of NES. *See Exhibit 1.*
5. Also attached is an affidavit of Joy Gill explaining that NES holds no deposit on behalf of Circuit City. *See Exhibit 2.*
6. The name, address, telephone number and facsimile number of NES's attorney who has authority to reconcile, settle or otherwise resolve the Objection on the Claimant's behalf is:

Larry Stewart, Esquire (#003345)  
Adams and Reese LLP  
424 Church Street, Suite 2700  
Nashville, Tennessee 37219  
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7. The attorneys for NES set forth below request that any Response hereto be served upon them at their addresses set forth below.

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8. NES respectfully requests the following:
  1. A hearing before the Court where the Objection of the Liquidating Trust can be resolved.

2. An Order of the Court allowing NES's Claim and requiring that it be paid.
3. Such other and further relief as may be just and equitable.

Dated: May 3, 2012

**CHRISTIAN & BARTON, LLP**

/s/ Jennifer M. McLemore

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*Counsel for Nashville Electric Service*

**CERTIFICATE OF SERVICE**

I, Jennifer M. McLemore, hereby certify that on the 3<sup>rd</sup> day of May 2012, a true and correct copy of the foregoing Response of Nashville Electric Service to Liquidating Trust's Thirty-First Omnibus Objection to Claims (Disallowance of Certain Invalid Claims has been served electronically using the ECF system on all registered users of the CM/ECF system who have filed notices of appearance in this matter and mailed by regular United States mail service to the following:

Jeffrey N. Pomerantz, Esquire  
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PACHULSKI STANG ZIEHL & JONES LLP  
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/s/ Jennifer M. McLemore

Jennifer M. McLemore